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London Borough Croydon

Scale 1:1250

16-Sep-2016



PART 6: Planning Applications for Decision

Item 6.3

1 APPLICATION DETAILS

Ref: [16/02908/P](#) (*link to documents on the Planning Register*)
Location: 161 Portland Road, London SE25 4UY
Ward: Woodside
Description: Alterations to ground floor shop frontage ; use of ground floor as a studio flat and part demolition of rear/side ground floor of building to form associated patio.
Drawing Nos: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11.
Applicant: Mr Venckuviene
Case Officer: Dean Gibson

1.1 The application is being reported to Committee because the Chair of the Planning Committee Councillor Paul Scott has referred it and has met the terms of referral as set out within Committee Consideration criteria.

2 SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- The proposal would be in the context of the presumption in favour of sustainable development set out in the National Planning Policy Framework, including the encouragement of re-using land that is previously developed.
- The proposal would accord with the housing and design policies of the London Plan, the Croydon Local Plan, and the Croydon Plan Saved Policies.
- The proposal would bring forward development on an existing part commercial / part residential site.
- The proposal would not undermine the viability and vitality of Croydon's shopping areas.
- The proposed dwelling would provide much needed housing in the borough and would complement the siting, layout and appearance of other residential development in the locality.
- The proposed dwelling would maintain the amenity of adjoining residential occupiers and the accommodation would meet housing layout standards.
- The proposal would promote sustainable development through its design.
- The proposed dwelling would be in a location that is accessible by public transport.

3 RECOMMENDATION

3.1 That the Committee resolve to GRANT planning permission :

3.2 That the Director of Planning & Strategic Transport is delegated authority to issue the planning permission and impose conditions [and informatives] to secure the following matters:

Conditions

- 1) Submission of external facing materials for written approval prior to commencement of development.
- 2) Completion of full works to shopfront prior to first residential occupation of flat.
- 3) Removal of external ducting prior to first residential occupation of flat.
- 4) Development to be carried out in accordance with the approved plans.
- 5) Development to be commenced within three years.
- 6) Any other planning condition(s) considered necessary by the Director of Planning & Building Control

Informatives

- 1) Removal of sites notices
- 2) Payment of Community Infrastructure Levy
- 3) Any other required

4 PROPOSAL AND LOCATION DETAILS

Proposal

4.1 Full planning permission is sought for :

- Change of use from vacant shop unit to use as a studio flat.
- Alterations to existing shopfront.
- Part demolition of rear/side of building to form ground floor courtyard patio amenity area.

Site and Surroundings

4.2 The site comprises a ground floor vacant shop unit (A5 Use Class) of three storey terraced period building on the eastern side of Portland Road. The shop is within a designated Shopping Parade. The site has a two storey rear wing and a single storey extension. There is a vertical ducting flue attached to the rear elevation of the building. There is a single storey building occupied as a flat attached to the rear of the site (This does not appear to benefit from planning permission). To the rear of that flat is an access from Aspley Road. The site is within part of a terrace running from 159 to 167 Portland Road. The site is within a Local Area of Special Character (LASC).

Planning History

4.3 Refs: 15/05148/P & 15/05462/P (duplicate applications) - Refused planning permission for alterations and use of ground floor as one bedroom flat.
Reasons for refusal :

1. The proposed development would result in the loss of a shopping area use and would be detrimental to the retail function and vitality of the shopping parade and the retail floorspace in Croydon.
2. The proposed alterations to the frontage and the proposed rear roof light windows would be out of character with the building and would detract from the visual amenity of the street scene and Local Area of Special Character and would not maximise the opportunities for creating an attractive and interesting environment.
3. The proposed flat would have an inadequate gross internal floor area and an unsatisfactory layout and would result in a poor accommodation for its future occupier/s.

5 CONSULTATION RESPONSE

- 5.1 The views of the Planning & Building Control Directorate are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6 LOCAL REPRESENTATION

- 6.1 The application has been publicised by the erection of site notices. The number of representations received from neighbours and local groups in response to the publicity of the application were as follows:

No of individual responses: 13 Objecting: 13

- 6.2 The following summarised issues were raised in representations received on the initial plans and amended plans, that are material to the determination of the application, and they are addressed in the next section of this report:

Objections

- a) Loss of shop
- b) Loss of shopfront
- c) Effect on LASC
- d) Poor standard of accommodation
- e) No refuse or cycle storage
- f) Would not be in keeping with proposed regeneration of area

- 6.3 Councillor Paul Scott referred the application to Committee for decision on the following basis :

1. Amenity of future occupiers of the proposed unit – it has a single window directly on to a busy street and a very deep plan with a sleeping area deeply to the rear.
2. The retail unit forms part of a designated shopping parade in an area subject to a regeneration programme organised by the Council with a public realm improvement scheme scheduled to commence either late this year or early in the new year.

7 MATERIAL PLANNING CONSIDERATIONS

7.1 The main planning issues raised by the application that the committee must consider are:

1. Principle of the proposed development
2. Character of the area and the visual amenities of the street scene
3. Amenities of the occupiers of the adjoining residential properties
4. Amenities of future occupiers
5. Highway implications
6. Trees and Landscaping

1. Principle of proposed development

7.2 The National Planning Policy Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development. Provision should be made for on-site affordable housing provision and meeting the housing needs of different groups in the community, such as families with children.

7.3 The Policies 3.5 of the London Plan, SP2.1 and SP2.2 of Croydon Local Plan Strategic Policies, and H2 of the Croydon Plan apply a presumption in favour of new residential development where it meets other applicable policies, but only permit it where it respects the character and amenity of adjoining residential areas.

7.4 The existing shop is vacant. In this instance the proposed loss of the shop use would be acceptable as documentary evidence has been submitted with the application that demonstrates it has been vacant for at least a year and that genuine attempts have been made to market it without any interest being expressed. Since the refusal of planning applications 15/05148/P and 15/05462/P the applicant has obtained a letter from an estate agent (Red Properties) dated 14/04/16 which advises that the shop unit has been marketed without any interest from October 2013 to August 2015 and has been vacant for at least five years. This provides evidence that the shop premises has been vacant for over a year and has been marketed without any interest being shown in its shop use.

2. Character of the area and the visual amenities of the street scene

7.5 In the previously refused planning applications 15/05148/P and 15/05462/P the proposed alterations to the shopfront were considered to be poor and out of character with the shopfront. It was considered the removal of the shopfront and replacement with a brick façade would have detracted from the appearance of the building and would have been out of character with the terrace, where shopfronts are a common feature to it. The proposed front window would have been formed of Upvc and this would not have been an appropriate material in the LASC. The proposed

roof lights to the rear extension would have also detracted from the period appearance of the building and the LASC.

- 7.6 Since the refusal of planning applications 15/05148/P and 15/5462/P the applicant has amended the appearance of the facade following design advice provided in the formal pre-application discussions. The applicant was advised to look at a shopfront/conversion at 104 Portland Road as an example of how a shopfront should be altered if residential development is proposed to the ground floor. The proposal shows that the shopfront would follow the style of 104 Portland Road. It would have a timber framed window with mullioned fanlight glazing to its top. It would have a timber front door with a fanlight window above. It would have a tiled stallriser. The shopfront and timber windows would be painted green and the front door would be painted brown. Works of making good between the top of the fascia and bottom of the first floor window cills could be secured by condition. It is considered the design of the proposed shopfront would therefore be acceptable in the context of the LASC and would overcome the reason for refusal related to the appearance of the proposed frontage. A condition is also recommended that the works to the shopfront are completed before the first occupation of the flat.
- 7.7 The part demolition of the ground floor rear of the building would not detract from the appearance of the building. This part of the site is not widely overlooked and cannot be seen from the street. The proposed removal of the redundant ducting/external flue attached to the rear of the building is supported. Works of making good to brickwork/walls could be secured by condition. A condition is also recommended that the works to remove the ducting are completed before the first occupation of the flat.
- 7.8 The highway in the vicinity of the site, known as Market Parade, is within the realm of a proposed South Norwood Street Improvement Scheme scheduled to commence in March 2017. These works are proposed to make improvements to the overall public realm (i.e. pavements and highway). It is considered that the proposed alterations to the shopfront would complement the improvements proposed to the public realm.

3. Amenities of the occupiers of the adjoining residential properties

- 7.9 The Policies 7.6 and 7.15 of the London Plan, and SP4.2 of the Croydon Local Plan Strategic Policies, and UD8 and EP1 of the Croydon Plan seek to enhance social cohesion and wellbeing and to protect residential amenity in considering proposals for new development. They seek to protect adjoining and nearby occupiers from loss of privacy, loss of light, loss of outlook, adverse visual intrusion, and pollution resulting from development, such as noise and disturbance.
- 7.10 The overall extent of works is relatively minor and the proposed development would have no adverse effect on adjoining occupiers in terms of loss of light, loss of outlook, loss of privacy, or increased noise and disturbance.
- 7.11 No adverse increase in noise would result from the proposed development as it is relatively minor in nature. While noise from demolition and construction works is inevitable, there is separate environmental legislation in place to respond to noise

nuisance. The Council and the GLA also produce good practice guidance on this issue which the applicant could be made aware of through an informative.

7.12 Therefore, the proposed development would not adversely affect the amenity of adjoining occupiers in terms of loss of light, loss of outlook, loss of privacy, or visual intrusion, or increased noise and disturbance.

4. Amenities of future occupiers

7.13 The Policies 3.5 of the London Plan, and SP2.6 of the Croydon Local Plan Strategic Policies, and UD8 of the Croydon Plan sets out minimum floorspace and amenity standards for residential conversions and new builds in order to promote high quality living accommodation. These policies are supported by the London Plan *Housing* SPG (as amended). The DCLG Technical Housing Standards are also relevant.

7.14 In the previously refused planning applications 15/05148/P and 15/05462/P a one bedroom flat was proposed would have fallen short of meeting the minimum floorspace standard of 50m² for a one bedroom flat. Furthermore, the bedroom of the flat would have been served by rooflights only and therefore would have had a poor outlook to a habitable room. The proposed flat would have been cramped and claustrophobic and would not have provided an acceptable future accommodation.

7.15 Since the refusal of planning applications 15/05148/P and 15/5462/P the applicant has amended the layout following design advice provided in the formal pre-application discussions. A studio flat is now proposed and it would have a shower room. The London Plan housing standards require a minimum floorspace of 37m². The flat would have a gross internal floor space of 42.86m². It is also proposed to part-demolish the rear wing of the building to provide a flank full height patio door to the bedroom area of the flat and a small outside amenity area. The provision of a flank sliding patio door to the bedroom area and the provision of outside amenity space through the part demolition of the rear wing is supported. It is accepted the patio door would look onto the flank wall of the adjoining property and it would not receive a large amount of sunlight. However, the outside amenity area, although very small, would provide some form of outlook and space. The proposed layout of the studio flat would result in an acceptable accommodation for a future occupier and make effective use of a vacant shop area.

7.16 The proposed new dwelling would therefore provide acceptable accommodation and amenity for a future occupier.

5. Highway implications and provision of parking

7.17 The Policies 6.3, 6.9, and 6.13 of the London Plan, and SP8.3, SP8.6, SP8.7, and SP8.15 of the Croydon Local Plan Strategic Policies, and UD13, T2, T4 and T8 of the Croydon Local Plan seek to actively manage the pattern of urban growth and the use of land to make the fullest use of public transport and co-locate facilities in order to reduce the need to travel through sustainable travel choice. They require parking and access layouts to be safe, secure and efficient. They also promote the provision for the use of cycles as a means of transport.

7.18 No off-street car parking or cycle storage is proposed and none could be accommodated on the site. The subject site is in an area with a PTAL accessibility rating of 3 (on a scale of 1a - 6b, where 6b is the most accessible), as indicated on maps produced by TfL. The site is therefore considered to have moderate to good accessibility to public transport links. The site is also within a controlled parking zone and there is a nearby bus stop with several routes. In this instance, the non-provision of off-street parking and cycle storage would be acceptable given the minor nature of the proposed development.

7. Other Matters

Refuse Storage

7.19 Refuse would be collected from the street in arrangement with the Council's waste management services.

Access

7.20 Level access would be provided to the building.

Security

7.21 The proposal would increase natural surveillance of the site and surroundings.

Conclusion

7.22 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out at the beginning of this report in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS. The details of the decision are set out in the RECOMMENDATION.